



PUBLIC NOTICE

Federal Communications Commission
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DA 04-78
January 15, 2004

**COMMENTS INVITED ON APPLICATION OF
MCLEODUSA TELECOMMUNICATIONS SERVICES, INC. TO
DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES
WC Docket No. 04-8
Comp. Pol. File No. 669**

Comments Due: January 29, 2004

Section 214 Application

Applicant: McLeodUSA Telecommunications Services, Inc.

On **January 8, 2004**, **McLeodUSA Telecommunications Services, Inc.** (McLeodUSA or Applicant) located at **6400 C Street SW, Cedar Rapids, Iowa 52406-3177** filed an application with the Federal Communications Commission (FCC or Commission), requesting authority under section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214(a), and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of certain U.S. domestic interstate telecommunications service in certain geographic areas

McLeodUSA states that it provides interstate special access digital subscriber line (DSL) service, used for high-speed internet access, in Oklahoma City, Oklahoma. McLeodUSA indicates that it seeks to discontinue its provision of this service only within the central offices designated by common language location identifier codes OKCYOKCE and OKCYOKME. McLeodUSA states that it is non-dominant with respect to this service. The application indicates that McLeodUSA plans to discontinue service on February 15, 2004, or as soon thereafter as the necessary governmental approval can be obtained. McLeodUSA further indicates that, in accordance with the requirements of section 63.71(a) of the Commission's rules, it provided written notice of its planned discontinuance to all affected customers on January 2, 2004

In accordance with 47 C.F.R. § 63.71(c), the application will be deemed to be automatically granted on the thirty-first (31st) day after the release date of this notice, unless the Commission has notified McLeodUSA that the grant will not be automatically effective. Accordingly, pursuant to section 63.71(c), absent further Commission action, McLeodUSA may not terminate service until February 15, 2004. The Commission will normally authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable

to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's *ex parte* rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **January 29, 2004**. Such comments should refer to **WC Docket No. 04-8 and Comp. Pol. File No. 669**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 Fed. Reg. 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to ecfs@fcc.gov, and should include the following words in the subject line "get form <your e-mail address>". A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of the comments to the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Two (2) copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 6-A207, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-2345, Attention: Carmell Weathers.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The application will be available for review and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington,

D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 863-2893, facsimile (202) 863-2898, or via e-mail at **qualexint@aol.com**.

For further information, contact Carmell Weathers, (202) 418-2325 (voice), **carmell.weathers@fcc.gov**, or Denise Coca, (202) 418-0574 (voice), **denise.coca@fcc.gov**, of the Competition Policy Division, Wireline Competition Bureau. The TTY number is (202) 418-0484. For further information on procedures regarding Section 214 please visit **http://www.fcc.gov/wcb/cpd/other_adjud**.

-FEDERAL COMMUNICATIONS COMMISSION-